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REMARKS/ARGUMENTS

In view of the following remarks, reexamination and reconsideration of this application, withdrawal of the rejections, and formal notification of the allowability of all claims as presented are earnestly solicited. Claims 1-13 are pending. In response to the Office Action, Claims 1 and 2 have been amended. The amendments to the claims find support throughout the Specification and the Drawings, and no new matter has been added. Furthermore, Applicant submits that the amendments do not raise new issues. Accordingly, it is believed that the pending claims now further define patentable subject matter over the references cited by the Examiner and notice to such effect is requested at the Examiner's earliest convenience.

Claim Rejections – 35 U.S.C. §102

Examiner has rejected Claims 1, 2, 4 and 5 under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 5,980,819 to Nakagawa *et al.* ("Nakagawa"). In response, independent Claims 1 and 2 have been amended to more clearly indicate patentable aspects of the present invention. The new recitations of claims 1 and 2 find support throughout the specification as filed such as, for example, at page 16, lines 9-15 of the specification as filed. Accordingly, no new matter has been added.

More particularly, Claim 1 has been amended to recite a porous body "comprising a plurality of base particles adhering to one another via an adhesion material having a lower melting point than the melting point of said base particles, said base particles defining a plurality of interstices therebetween, wherein said adhesion material is substantially disposed within the interstices and adheres to surfaces of said base particles defining the interstices."

Thus, Claims 1 and 2 now recite a porous body composed of a number of base particles adhering to one another with an adhesion material that is substantially disposed within the interstices defined by adjacent base particles.

Nakagawa does not teach or suggest the application of adhesion material that is substantially disposed within the interstices defined by adjacent base particles. The Applicants respectfully submit that for a rejection to be proper under 35 U.S.C. §102(b), the cited reference must "teach every element of the [rejected] claim." *See* MPEP §2131.

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In contrast, Nakagawa generally discloses that the coating material should evenly coat the non-contact portions of the base particles such that the lubricious coating material provides “a boundary lubrication condition where a shaft and the sintered body are in direct contact with each other” (See Nakagawa, at column 1, lines 64-67). Thus, in order to provide a lubricious bearing surface, Nakagawa teaches away from applying an adhesion material that is substantially disposed within the interstices defined by adjacent base particles. Instead, Nakagawa discloses an oil-impregnated bearing wherein the copper coating is more preferably present “where a shaft and the sintered body are in direct contact with each other.” See Nakagawa, at column 1, lines 65-66. For example, the sintered oil-impregnated bearing disclosed by Nakagawa would be ill-suited for providing an adhesion material that is substantially disposed within the interstices defined by adjacent base particles forming the sintered body, as the bearing structure disclosed by Nakagawa necessarily provides a greater amount of adhesion material at a bearing surface of the bearing assembly so as to prevent seizure of a motor utilizing the bearing. See Nakagawa, at column 6, lines 59-65. Thus, Nakagawa teaches away from the provision of adhesion material that is substantially disposed within the interstices defined by adjacent base particles as now recited in amended Claims 1 and 2.

Thus, for at least the reasons stated above, Applicants respectfully submit that amended Claims 1 and 2 are patentably distinct from Nakagawa. In addition, the pending claims 4 and 5, depending from amended Claims 1 and 2 are patentably distinct from Nakagawa for at least the same reasons stated above.

Claim Rejections – 35 U.S.C. §112

Examiner has rejected Claims 1, 2, 4 and 5 under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. More particularly, Examiner has indicated that the “relative language of ‘larger amount’ as found in claim 1 does not free the claims of the art.” In response, Claims 1 and 2 have been amended to recite that the recited adhesion material “is substantially disposed within the interstices” defined between adjacent base particles. Thus, the “relative language” cited by Examiner has been removed and the “substantially disposed within the

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interstices" recitation finds support throughout the specification and figures of the as-filed application such as, for example, at page 16, lines 9-15. Thus, for the reasons set forth above, Claims 1, 2, 4, and 5 are believed to be in condition for immediate allowance and notice to such effect is respectfully requested at the Examiner's earliest opportunity.

CONCLUSION

In conclusion, Nakagawa does not teach, suggest, or provide motivation for the embodiments of the present invention, as now claimed in Claims 1 and 2 and the claims depending therefrom. Accordingly, in view of the above differences between the Applicant's invention and the cited reference, the Applicant submits that the present invention, as defined by the pending claims, is patentable over the reference cited in the Office Action. As such, for the reasons set forth above, Claims 1, 2, 4, and 5 are believed to be in condition for immediate allowance and notice to such effect is respectfully requested at the Examiner's earliest opportunity.

It is not believed that extensions of time or fees for net addition of claims are required, beyond those that may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 CFR §1.136(a), and any fee required therefore (including fees for net addition of claims) is hereby authorized to be charged to Deposit Account No. 16-0605.

Respectfully submitted,


Jason O. Piché
Registration No. 53,468

Customer No. 00826
ALSTON & BIRD LLP
Bank of America Plaza
101 South Tryon Street, Suite 4000
Charlotte, NC 28280-4000
Tel Raleigh Office (919) 862-2200
Fax Raleigh Office (919) 862-2260

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CERTIFICATION OF FACSIMILE TRANSMISSION

I hereby certify that this paper is being facsimile transmitted to the U.S. Patent and Trademark Office Fax No. (571) 273-8300 on the date shown below.

Rebecca Kerney 4/12/06
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